

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

OWEN HARTY, Individually, )  
)  
Plaintiff, )  
)  
v. )  
)  
)  
LUMBER RIVER ASSOCIATES, LLC, )  
a Virginia Limited Liability Corporation, )  
and WHEELER REAL ESTATE )  
COMPANY, a Virginia Corporation, )  
)  
Defendants. )

**JUDGMENT**

No. 7:11-CV-146-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendants' motion to dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's order entered September 6, 2012, and for the reasons set forth more specifically therein, that defendants' motion to dismiss is granted. The plaintiff shall have and recover nothing from this action.

**This Judgment Filed and Entered on September 6, 2012, and Copies To:**

Jacqueline Yvonne London (via CM/ECF Notice of Electronic Filing)  
William P. Barrett (via CM/ECF Notice of Electronic Filing)  
Elizabeth Connolly Stone (via CM/ECF Notice of Electronic Filing)

September 6, 2012

JULIE A. RICHARDS, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk